

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15870 of 2020

Arising Out of PS. Case No.-743 Year-2019 Thana- KATIHAR District- Katihar

VIJAY SAH S/o Ashok Sah Village- Balu Tola, Fasiya, P.S.- Town (Katihar),
District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah @ Baranwal

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 376, 323, 506 of the Indian Penal
Code.

Allegation is that the petitioner committed rape
with the informant.

It has been submitted on behalf of the petitioner
that the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case. Prior to institution of the present case, an informatory petition was filed by the petitioner because of the land dispute. The date of occurrence is said to be on 27.06.2019 and the complaint case was filed on 05.07.2019. On the basis of which, the present F.I.R. has been drawn. The delay in filing the complaint has not been explained by the prosecution. There is no medical examination report on the record to support the allegations made in the complaint case/F.I.R.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of C.J.M., Katihar in connection with Katihar Town P.S. case No.743 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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